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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/390,299 09/03/99 SASAKI

T 0039-7343-3S

EXAMINER

022850 MM91/0201
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ART UNIT

PAPER NUMBER

2882
DATE MAILED:

02/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/390,299

Applicant(s)

SASAKI, TOMIYA

Examiner

Pamela R. Hobden

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☒ All b) ☐ Some * c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

18) ☐ Interview Summary (PTO-413) Paper No(s). _____.

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5,15,16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Tomita et al. Tomita et al discloses a scanning apparatus for cross-sectional inspection equipment which includes a base (11), main posts vertically mounted on the base, (11, figure 1), a ring frame tiltably supported by the two main posts (Column 2 lines 41-50), a rotation ring rotatably supported by the ring frame; (figure 1,3), an x-ray tube (71) mounted on the rotation ring, an x-ray detector (73) mounted on the rotation ring opposing to the x-ray tube (figure 3), and props abutting on the main posts obliquely to reinforce the main posts. (figure 3) The props are arranged between the two main posts (figure 3), the base comprises outside frames, inside frames, cross bars inside the frame, and props that are connected between the cross bars and the main posts (figure 3), a gantry wherein the main posts are provided with one prop (figure 1), and where the props are mounted on a central portion of the base (figure 1).

Tomita et al also discloses a gantry which further comprises electric members including a power source unit for generating drive power (30,34) to rotate the rotation ring and tilt the ring frame, a scan control unit for controlling a rotating operation of the rotation ring and a detecting operation of the x-ray detector, a transmission unit for

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externally outputting a signal detected by the x-ray detector, the electric members being arranged in spaces defined by the base, the main posts and the props. (Column 3 lines 3-46).

Tomita et al also discloses triangle-like blocks for reinforcing the main posts. (figure 2)

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomita et al. Tomita et al's teachings are as shown above.

Tomita et al fails to disclose each of the main posts provided by two props. It would be obvious to one skilled in the art to utilize a variety of prop support configurations, including but not inclusive of multiple props, inverted V shapes, and multiple angle variations, some of which are described in the additional art supplied in the references.

One would be motivated to utilize any of these selections as appropriate by design choice. As long as adequate support is provided to the computed tomography system to minimize damping and extraneous movement, location and style of support are not critical to scanning capability of the system.

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Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Brandt discloses a computed tomography system cable retractor, Yamamoto et al discloses a digital x-ray photography device with main supports, Swain et al discloses a tomographic scanner with triangular supports and props between the main supports, McKenna and Gordon et al discloses a tomography system with another type of support system. Bailey et al discloses a CT scanner with oblique props. Ivan et al, Haq, and Sugihara et al disclose other various types of support systems for CT scanners.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pamela R. Hobden whose telephone number is (703)-306-5435. The examiner can normally be reached on Monday-Thursday 8:30-6:00, Alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703)-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-7382 for regular communications and (703)-308-7722 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

prh
January 24, 2001


ROBERT H. KIM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800